

13 JAN 2005

#5



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Scott M. Daniels  
Westerman, Hattori, Daniels & Adrian LLP  
1250 Connecticut Avenue N.W.  
Washington, D.C. 20036

In re Application of :  
NOMURA, Syuushi :  
Application No.: 10/500,042 :  
PCT No.: PCT/JP02/13473 : COMMUNICATION  
Int. Filing Date: 24 December 2002 :  
Priority Date: 25 December 2001 :  
Attorney Docket No.: 042449 :  
For: FIELD CONVERTER AND FLUID  
PROCESSING DEVICE UTILIZING  
SAID CONVERTER

This communication is in response to applicant's "Response to Notification Regarding Defective Declaration" filed 09 December 2004 in the United States Patent and Trademark Office (USPTO).

### **BACKGROUND**

On 02 December 2004, applicant was mailed a Notification informing applicant that the declaration filed 23 June 2004 was defective as the declaration set forth an additional inventor (Aoi Kawasaki) who has not been named in the international application. Applicant was afforded two months to file either: 1) a submission under 37 CFR 1.497(d) requesting correction of the inventors named in the international application to include Aoi Kawasaki, (2) a new declaration naming and signed by only by Syuuish Nomura accompanied by an acceptable explanation of the misnaming of the inventor on the present declaration, or (3) a showing that a change under PCT Rule 92bis was made prior to the National stage filing.

On 09 December 2004, applicant filed the present response which included a copy of Form PCT/IB/306 showing that the status of applicant Aoi Kawasaki had been changed pursuant to PCT Rule 92bis to applicant/inventor for the US only.

### **DISCUSSION**

Applicant has presently provided evidence that Aoi Kawasaki is an applicant/inventor for the United States only. As such it is proper to find the declaration filed on 23 June 2004 as compliant with 37 CFR 1.497(a)-(b). Further, a review of the application file reveals that all of the requirements of 35 U.S.C. 371 for entry into the national stage in the United States have been satisfied.

**CONCLUSION**

Applicant has made a sufficient showing such that the declaration filed 23 June 2004 is held to be a proper reply to the Notification Regarding Defective Declaration and Requirement for New Declaration or Request Under 37 CFR 1.497(d) mailed 02 December 2004.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this communication. The 35 U.S.C. 371(c) date is **23 June 2004**.



Anthony Smith  
Attorney-Advisor  
Office of PCT Legal Administration  
Tel.: 571-272-3298  
Facsimile: 571-273-0459